

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1785 - SB 1790

February 8, 2018

SUMMARY OF BILL: Prohibits county clerks from issuing marriage licenses to persons under 18 years of age.

ESTIMATED FISCAL IMPACT:

Decrease State Revenue – Exceeds \$1,500

Decrease Local Revenue – Exceeds \$1,500

Assumptions:

- Pursuant to Tenn. Code Ann. § 36-3-105, it is unlawful for any county clerk to issue a marriage license to a person under 16 years of age, unless, pursuant to Tenn. Code Ann. § 36-3-107, a county mayor or judge waives the age requirement and authorizes the county clerk to issue the marriage license.
- The proposed language would remove the ability of a county mayor or judge to provide consent for persons under 18 years of age to marry and prohibit county clerks from issuing marriage licenses to persons under 18 years of age.
- According to the Department of Health, in 2016 there were 42 grooms and 166 brides who were under 18 years of age at the time of marriage, and from 2012-2016 there was an average of 36 grooms and 183 brides under 18 years of age each year.
- Pursuant to Tenn. Code Ann. § 8-21-701(1), § 36-6-413(b)(2), § 67-4-411(a), § 67-4-502, and § 67-4-505, various taxes and fees are assessed for the issuance of a marriage license.
- Of the various fees and taxes collected, a minimum of \$15 is remitted to local government and minimum of \$15 is remitted to the state.
- The proposed language will result in the non-issuance of at least 100 marriage licenses per year; resulting in a recurring decrease in state government revenue estimated to exceed \$1,500 (100 licenses x \$15 minimum) and a recurring decrease in local government revenue estimated to exceed \$1,500 (100 licenses x \$15 minimum).

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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